

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 58th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON TRANSPORTATION**

**Call to Order:** By **VICE CHAIRMAN SYLVIA BOOKOUT-REINICKE**, on  
January 20, 2003 at 3 P.M., in Room 472 Capitol.

#### **ROLL CALL**

**Members Present:**

Rep. Karl Waitschies, Chairman (R)  
Rep. Sylvia Bookout-Reinicke, Vice Chairman (R)  
Rep. Dave Gallik, Vice Chairman (D)  
Rep. Joe Balyeat (R)  
Rep. Bob Bergren (D)  
Rep. Ronald Devlin (R)  
Rep. George Golie (D)  
Rep. Jim Keane (D)  
Rep. Bernie Olson (R)  
Rep. Allen Rome (R)  
Rep. Frank Smith (D)  
Rep. Donald Steinbeisser (R)  
Rep. Bill Wilson (D)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Leanne Kurtz, Legislative Branch  
Pati O'Reilly, Committee Secretary

**Please Note:** These are summary minutes. Testimony and  
discussion are paraphrased and condensed.

**Committee Business Summary:**

Hearing & Date Posted: HB 185, 1/13/2003; HB 280,  
1/13/2003  
Executive Action: HB 112; HB 189; HB 93; HB 105

**HEARING ON HB 185**

**Sponsor:** REPRESENTATIVE BILL WILSON, HD 46

**Opening Statement by Sponsor:**

**REP. WILSON** introduced HB 185 as a bill to update commercial drivers licensing laws. It is at the request of the Department of Justice. This bill gets us in line with federal regulations.

*{Tape: 1; Side: A; Approx. Time Counter: 0 - 1.1}*

**Proponents' Testimony:**

**Brenda Nordlund, Council for Montana Department of Justice.** This bill will bring us into compliance with the Motor Carriers Safety and Improvement Act of 1999. They went over the bill section by section and offered handouts that explained the bill.

**EXHIBIT**(trh11a01)

**EXHIBIT**(trh11a02)

**EXHIBIT**(trh11a03)

**EXHIBIT**(trh11a04)

**EXHIBIT**(trh11a05)

*{Tape: 1; Side: A; Approx. Time Counter: 1.1 - 29.6}*

**Dave Galt, Director of Montana Department of Transportation.** The Department needs to come into compliance with the federal requirements. We will forward 5% the first year and 10% all following years of our federal highway funds if we do not comply.

*{Tape: 1; Side: A; Approx. Time Counter: 29.6 - 30}*

**Barry Stang, Executive Director of Montana Motor Carriers Association,** told the committee that MMC is in support of this bill with some reservations about the federal mandates.

*{Tape: 1; Side: B; Approx. Time Counter: 0 - 2.1}*

**Opponents' Testimony:**

**John Northey, Volunteer Fire Department Member.** This bill could require firefighters to hold a commercial driver's license, causing a shortage of volunteer firemen.

*{Tape: 1; Side: B; Approx. Time Counter: 2.1 - 6.9}*

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

REPS. SMITH, GOLIE, STEINBEISSER, OLSON, KEANE and WAITSCHIES questioned Dean Roberts and Brenda Nordlund regarding the consequences of this bill. They had concerns with the volunteer firemen issues, the begin date and how much this will cost to implement.

*{Tape: 1; Side: B; Approx. Time Counter: 6.9 - 27.8}*

**Closing by Sponsor:**

REP. WILSON closed asking for a do pass.

*{Tape: 1; Side: B; Approx. Time Counter: 27.8 - 30}*

**HEARING ON HB 280**

**Sponsor:** REPRESENTATIVE DAVE WANZENRIED, HD 68

**Opening Statement by Sponsor:**

REP. WANZENRIED introduced HB 280 as a constituent bill. It is a request to use 25-year-old license plates and be recognized as legal by the State of Montana.

*{Tape: 2; Side: A; Approx. Time Counter: 0 - 6.1}*

**Proponents' Testimony:**

Dick Mortieau, Missoula resident, who restores antique autos, supports this bill.

*{Tape: 2; Side: A; Approx. Time Counter: 6.1 - 7.8}*

Jim Black, Helena resident, supports this bill.

*{Tape: 2; Side: A; Approx. Time Counter: 7.8 - 8.2}*

Joe Cross, Helena resident, stated he just came along as a proponent.

*{Tape: 2; Side: A; Approx. Time Counter: 8.2 - 9}*

Opponents' Testimony: None

Informational Testimony:

Dean Roberts, Administrator of Motor Vehicle, State of Montana, explained the need for these plates, the length of licensing, the need to have both plates for years that required two plates, and State registration of these old plates.

*{Tape: 2; Side: A; Approx. Time Counter: 9 - 12.8}*

Questions from Committee Members and Responses:

REPS. KEANE, DEVLIN and GOLIE questioned Dean Roberts about the expense of making the plates, the application process and how many people would use these plates. He also explained how the State controlled duplication of numbers.

*{Tape: 2; Side: A; Approx. Time Counter: 12.8 - 15.6}*

Closing by Sponsor:

REP. WANZENRIED closed HB 280 with a summary of the testimony.

*{Tape: 2; Side: A; Approx. Time Counter: 15.6 - 16.1}*

EXECUTIVE ACTION ON HB 93

Motion: REP. DEVLIN moved that HB 93 DO PASS.

Motion/Vote: REP. DEVLIN moved that HB 93 BE AMENDED. Motion carried unanimously on a roll call vote. REPS. BERGREN, GALLIK and STEINBEISSER voting by proxy.

Motion/Vote: REP. DEVLIN moved that HB 93 DO PASS AS AMENDED. Motion carried unanimously.

*{Tape: 2; Side: A; Approx. Time Counter: 16.1 - 27.3}*

EXECUTIVE ACTION ON HB 112

Motion/Vote:

REP. ROME moved that HB 112 DO PASS. Motion carried unanimously by roll call vote. REPS. BERGREN, GALLIK and STEINBEISSER voting by proxy.

*{Tape: 2; Side: A; Approx. Time Counter: 27.3 - 30}*

EXECUTIVE ACTION ON HB 105

Motion: REP. BOOKOUT-REINICKE moved that HB 105 DO PASS.

Motion/Vote: REP. BOOKOUT-REINICKE moved that HB 105 BE AMENDED.  
Motion carried 12-1 with REP. DEVLIN voting no.

**EXHIBIT**(trh11a06)

Motion/Vote: REP. BOOKOUT-REINICKE moved that HB 105 BE AMENDED.  
Motion carried unanimously.

**EXHIBIT**(trh11a07)

Motion/Vote: REP. BOOKOUT-REINICKE moved that HB 105 DO PASS AS  
AMENDED. Motion carried 12-1 with REP. BALLYEAT voting no by roll  
call vote. REPS. BERGREN, GALLIK and STEINBEISSER voting by  
proxy.

*{Tape: 2; Side: B; Approx. Time Counter: 0 - 17.6}*

EXECUTIVE ACTION ON HB 189

Motion: REP. DEVLIN moved that HB 189 DO PASS.

Motion/Vote: REP. GALLIK moved that HB 189 BE AMENDED. Motion  
failed 5-7 with REPS. BALLYEAT, WILSON, KEANE, GALLIK and  
WAITSCHIES yes by roll call vote. REP. BERGREN not voting.

**EXHIBIT**(trh11a08)

Motion/Vote: REP. BOOKOUT-REINICKE moved that HB 189 BE AMENDED.  
Motion carried 10-0 with REPS. BERGREN, GALLIK, and STEINBEISSER  
did not vote.

**EXHIBIT**(trh11a09)

Motion/Vote: REP. BOOKOUT-REINICKE moved that HB 189 DO PASS AS  
AMENDED. Motion carried 12-1 with REP. BALLYEAT voting no by roll  
call vote. REPS. BERGREN, GALLIK and STEINBEISSER voting by  
proxy.

*{Tape: 2; Side: B; Approx. Time Counter: 17.6 - 30}*

*{Tape: 3; Side: A; Approx. Time Counter: 0 - 21}*

**ADJOURNMENT**

Adjournment: 5:35 P.M.

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REP. KARL WAITSCHIES, Chairman

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PATI O'REILLY, Secretary

KW/PO

**EXHIBIT**(trh11aad)